

3029-72 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fred A. Kish (Deceased) Art Unit: (not yet assigned)

Serial No.: 09/889,843 Examiner: (not yet assigned)

Filed: January 24, 2000

For: **SELF REGULATING FLEXIBLE HEATER**Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017RENEWED REQUEST UNDER 37 CFR 1.42Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231Attention: PCT Legal Office

SIR :

Applicant hereby requests reconsideration of the Decision on Petition Under 37 CFR 1.42 mailed on June 4, 2002.

The Decision noted that the declaration submitted by Ms. Chiovatero on April 30, 2002 did not comply with the requirements of 37 CFR 1.68 because it does not indicate that all statements are made of her own knowledge are true and all statements, made upon information and belief, are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application.

In response, Applicant encloses herewith a copy of the originally submitted declaration, with an added page to the combined declaration. The added page restates the country of citizenship, former residency and mailing address of both the deceased inventor and the legal representative as well as the

relationship of the legal representative to the deceased inventor. The declaration by Ms. Chiovatero now includes the language in conformity with 37 CFR 1.68.

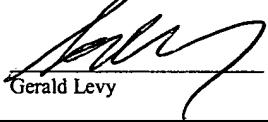
It is respectfully submitted that the requirements of 37 CFR 1.42 are met and an early decision on this renewed submission is requested.

Respectfully submitted,

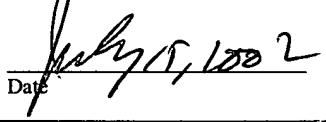


Gerald Levy
Registration No. 24,419
Pitney, Hardin, Kipp & Szuch LLP
685 Third Avenue
New York, New York 10017
(212) 687-6000

I hereby certify that this paper is being deposited on July 15 2002 with the U.S. Postal Service with sufficient postage as First Class Mail, addressed to: Box PCT, Assistant Commissioner for Patents, Washington, D.C. 20231, Attention: PCT Legal Office.



Gerald Levy



Date

July 15, 2002

Docket No.

3029-72

Declaration and Power of Attorney For Patent Application

English Language Declaration

RECEIVED

SEP 25 2001

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, *JTW PATENT DEPT.*

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SELF REGULATING FLEXIBLE HEATER

the specification of which

(check one)

is attached hereto.

was filed on January 24, 2000 as United States Application No. or PCT International Application Number PCT/US00/01702, which designated the U.S.

and was amended on December 19, 2000 and June 4, 2001

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

| | | | |
|----------|-----------|------------------------|--------------------------|
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |
| (Number) | (Country) | (Day/Month/Year Filed) | <input type="checkbox"/> |

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/117,144

January 25, 1999

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

Joseph C. Sullivan - Registration No. 18,720

Gerald Levy - Registration No. 24,419

Ronald R. Santucci - Registration No. 28,988

Ronald E. Brown - Registration No. 32,200

John F. Gulbin - Registration No. 33,180

Peter W. Latimer - Registration No. 46,858

Michael P. Stanley - Registration No. 47,108

Send Correspondence to

PITNEY, HARDIN, KIPP & SZUCH LLP
711 Third Avenue - 20th Floor
New York, NY 10017

Direct Telephone Calls to: (*name and telephone number*)

| | |
|--|------------------------|
| Full name of sole or first inventor JAMES SURJAN | |
| Sole or first inventor's signature <i>James Surjan</i> | Date 9/28/01 |
| Residence St. Charles, Illinois | <i>IL</i> |
| Citizenship United States of America | |
| Post Office Address 5N479 Farrier Point | |
| St. Charles, IL 60175 | |

| | |
|---|-------------------------|
| Full name of second inventor, if any KISH ANTOINETTE CHIOVATERO (for Fred A. Bush - deceased) | |
| Second inventor's signature <i>Antoinette Chiovatero</i> | Date 10/22/01 |
| Residence Chicago, Illinois | <i>IL</i> |
| Citizenship United States of America | |
| Post Office Address 3819 North Francisco 3857 N. KENTON CT. | |
| Chicago, IL 60618-60641 | |

4-00

| | |
|--|------------------------|
| Full name of third inventor, if any TILAK R. VARMA | |
| Third inventor's signature <i>Tilak Varma</i> | Date <i>9/21/01</i> |
| Residence Grayslake, Illinois | <i>IL</i> |
| Citizenship India | |
| Post Office Address 18451 West Springwood Drive | |
| Grayslake, Illinois 60030 | |

5-00

| | |
|--|------------------------|
| Full name of fourth inventor, if any EDWARD BULGAEWSKI | |
| Fourth inventor's signature <i>Edward Bulgajewski</i> | Date <i>9/24/01</i> |
| Residence Genoa, Illinois | <i>IL</i> |
| Citizenship United States of America | |
| Post Office Address 31164 Oakview Drive | |
| Genoa, Illinois 60135 | |

| | |
|-------------------------------------|------|
| Full name of fifth inventor, if any | |
| Fifth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

| | |
|-------------------------------------|------|
| Full name of sixth inventor, if any | |
| Sixth inventor's signature | Date |
| Residence | |
| Citizenship | |
| Post Office Address | |
| | |

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fred A. Kish (Deceased) Art Unit: (not yet assigned)

Serial No.: **09/889,843** Examiner: (not yet assigned)

Filed: January 24, 2000

For: **SELF REGULATING FLEXIBLE HEATER**

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY
UNDER 37 CFR 1.42**

I, ANTOINETTE CHIOVATERO, hereby declare that I am a citizen of the United States of America, residing at 3857 North Kenton Court; Chicago, Illinois 60641 and that I am executing and signing the declaration to which this is attached as the Executrix of the last will and testament of:

FRED A. KISH

Citizenship: United States of America

Former Residence: 1020 Weeping Willow Drive
Wheeling, Illinois 60090

That I am the daughter of the deceased Fred A. Kish;

That, upon information and belief, I aver those facts that the inventor is required to state.

Date:

4/13/02

Antoinette Chiovatero

ANTOINETTE CHIOVATERO
Executrix of the Last Will and Testament of
Fred A. Kish

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 6/27/02


Antoinette Chiovatero
Executrix of the Last Will and Testament of
Fred A. Kish